

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Patricia A. Darke,

Civil File No. 06-996 PJS/RLE

Plaintiff,

vs.

**AFFIDAVIT OF DONNA L.
ROBACK**

Lurie Besikof Lapidus & Company, LLP,

Defendant.

STATE OF MINNESOTA)

COUNTY OF HENNEPIN)

Donna L. Roback, being first duly sworn on oath, deposes and states as follows:

1. I am an attorney licensed to practice law in the state and federal courts of the State of Minnesota, and I represent Defendant Lurie Besikof Lapidus & Company, LLP (“LBLCO”) in the above-captioned matter.

2. Attached hereto as Exhibit 1 is a true and correct copy of relevant portions of the deposition of Patricia Darke.

3. Attached hereto as Exhibit 2 is a true and correct copy of relevant portions of the deposition of Farley Kaufmann.

4. Attached hereto as Exhibit 3 is a true and correct copy of relevant portions of the deposition of Greg Cornman.

5. Attached hereto as Exhibit 4 is a true and correct copy of Randy Vick’s resume.

6. Attached hereto as Exhibit 5 is a true and correct copy of Patricia Darke's Application for Employment at LBLCO.

7. Attached hereto as Exhibit 6 is a true and correct copy of Patricia Darke's Offer of Employment letter.

8. Attached hereto as Exhibit 7 is a true and correct copy of Patricia Darke's compensation increases for years 2000-2002.

9. Attached hereto as Exhibit 8 are true and correct copies of documents representing Patricia Darke's compensation package for fiscal year 2003-2004, and fiscal year 2004-2005.

10. Attached hereto as Exhibit 9 is a true and correct copy of email messages between Greg Cornman and Patricia Darke dated April 28, 2005.

11. Attached hereto as Exhibit 10 is a true and correct copy of notes Patricia Darke took on May 11, 2005 during her meeting with Farley Kaufmann.

12. Attached hereto as Exhibit 11 is a true and correct copy of Patricia Darke's resignation letter dated May 16, 2005.

13. Attached hereto as Exhibit 12 is a true and correct copy of a letter from Farley Kaufmann to Patricia Darke dated May 17, 2005.

14. Attached hereto as Exhibit 13 is a true and correct copy of a memorandum from Farley Kaufmann to Patricia Darke dated May 25, 2005.

15. Attached hereto as Exhibit 14 is a true and correct copy of undated notes made by Farley Kaufmann with portions of unknown writing.

16. Attached hereto as Exhibit 15 is a true and correct copy of a summary of Patricia Darke's compensation for fiscal year 2003-2004.

17. Attached hereto as Exhibit 16 is a true and correct copy of Holland v. Sam's Club, 2007 U.S. App. LEXIS 12207.

18. Attached hereto as Exhibit 17 is a true and correct copy of Ledbetter v. Goodyear Tire & Rubber Co., 2007 U.S. LEXIS 6295.

19. Attached hereto as Exhibit 18 is a true and correct copy of Alexander v. Progressive Cas. Ins. Co., 2005 U.S. Dist. LEXIS 31710.

FURTHER AFFIANT SAYETH NOT.

s/Donna L. Roback

Donna L. Roback

Subscribed and sworn to before me
this 5th day of June, 2007.

s/Teresa A. Fane

Notary Public